

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 98-036

RESCINDING WASTE DISCHARGE REQUIREMENTS ORDER NO. 96-112 FOR:

PACIFIC REFINING COMPANY

for the property located at

4901 SAN PABLO AVENUE
HERCULES
CONTRA COSTA COUNTY


The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Board), finds that:

1. Pacific Refining Company (PRC) operated a petroleum refinery in the City of Hercules, Contra Costa County, before the summer of 1995. Since then it changed its operation as an asphalt refinery and petroleum terminal until September 9, 1997.
2. On September 10, 1997, PRC sold the facility to Hercules LLC, dba New Pacific Properties. Hercules LLC does not plan to resume the refinery operation.
3. Based on PRC's Report of Waste Discharges which identified three wastes streams (001, 002, and 003) at the site, the Regional Board issued Order No. 96-112 on August 21, 1996 authorizing PRC to discharge treated wastewater and unpolluted stormwater to San Pablo Bay, a water of this state.
4. Treated effluent was discharged through an underwater diffuser pipe at a depth of 10 feet about 2,000 feet offshore until the time when the refinery completely ceased its operation on September 10, 1997. Shallow discharges of stormwater runoffs from non-contact areas throughout the site have occurred, and will continue to occur at outfalls E-002 and E-003 intermittently, depending on weather conditions.
5. On February 6, 1998, PRC submitted a letter to Board staff requesting the rescission of the permit as it does not own and control the refinery property anymore. PRC will neither generate process water at the site nor discharge effluent through the outfall E-001 anymore.

6. Section 13374 of California Water Code states that the term "waste discharge requirements" is the equivalent of the term "permits" as used in the Federal Water Pollution Control Act, as amended.
7. This action, to rescind Waste Discharge Requirements, is categorically exempted from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
8. The Board has notified the discharger and all interested agencies and persons of its intent under California Water Code Section 13381 to rescind Waste Discharge Requirements for the site, and has provided them with an opportunity to submit their written comments.
9. The Board, at a public meeting, heard and considered all comments pertaining to the rescission of Waste Discharge Requirements for the site.

IT IS HEREBY ORDERED, pursuant to Section 13381 of the California Water Code, that Waste Discharge Requirements issued by Order No. 96-112 is hereby rescinded.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 20, 1998.

for 

Loretta K. Barsamian
Executive Officer